

**COMMISSIONERS OF ST. MARY'S COUNTY
MEETING
Tuesday, October 28, 2014**

Present: Commissioner President Francis Jack Russell
Commissioner Lawrence D. Jarboe
Commissioner Todd B. Morgan
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
County Administrator, Dr. Rebecca Bridgett
Sharon Ferris (Recorder)

CALL TO ORDER

Commissioner President Russell called the business meeting of the Commissioners of St. Mary's County to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve the minutes of October 21, 2014, as amended. Motion carried 5-0

PROCLAMATIONS WERE PRESENTED FOR:

- 1. RETIREMENT OF CORPORAL JAMES R. MOLITOR, SHERIFF'S OFFICE**
- 2. ECONOMIC DEVELOPMENT WEEK**
- 3. HOMELESSNESS AND HUNGER AWARENESS MONTH**
- 4. AMERICA RECYCLES WEEK**

COUNTY ADMINISTRATOR

1. Draft Agendas for November 13 and 18, 2014. There will be no meetings November 4 and 11, 2014.

Commissioner Jarboe requested that a discussion/decision on a property tax cap be added to November 18 Agenda.

Commissioner Morris requested that a 2% cap on the Metropolitan Commission's Fee for Service be added to the November 18 agenda.

2. Circuit Court

(Teresa Weeks, Senior Legal Assistant)

a. Family Services Coordinator Grant Award and Related BA

Commissioner Morris moved, seconded by Commissioner Morgan, to approve and accept the Family Services Grant Award, Project MD1520 from the Administrative Office of the Courts, in the amount of \$107,905, and approve and authorize Commissioner President Russell to execute the related budget amendment to realign the budget to award, increasing the overall budget by \$590 but at the same time returning \$4,056 in county funds to the Commissioners Emergency Appropriations Reserve. Motion carried 5-0.

(Pete Cucinotta, Drug Court)

b. Highway Safety Adult Drug Court Grant Award, Sub-recipient and Budget Amendment

Commissioner Morris moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to accept the grant award from the Maryland Highway Safety Office, US1525 in the amount of \$53,020 and execute the attached budget amendment restoring \$517 to the Commissioners Emergency Appropriations Reserve and increasing the project revenue and expenses by \$7,089 from the Supplemental Reserve, in accordance with the grant award; and execute the Sub-recipient Agreement between the Commissioners of St. Mary's County and Outlook Outpatient Services, LLC in the amount of \$13,088. Motion carried 5-0.

(Teresa Weeks, Senior Legal Assistant)

c. Cooperative Reimbursement Agreement

(Teresa Weeks, Legal Assistant)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Cooperative Reimbursement Agreement, Project US1527, for the Maryland Department of Human Resources on behalf of the Circuit Court for Child Support Enforcement, in the amount of \$13,062 and the related budget amendment returning \$608 in county funds to the Commissioners Emergency Appropriation Reserve. Motion carried 5-0.

3. Sheriff's Office *(Captain Steve Hall; Corporal Todd Fleenor; Erin Shoemaker, Fiscal Manager)*

Replacement Canine

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the canine budget amendment on

behalf of the St. Mary's County Sheriff's Office, in the amount of \$9,000. Motion carried 5-0.

4. Department of Recreation and Parks (*Brian Loewe, Director*)

a. Letter of Amendment for FY2011 Maryland Heritage Areas Authority Grant Agreement, FY2015 Maryland Heritage Area Authority Grant Agreement; and Related BA

Commissioner Morgan moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute:

(1) the Letter of Amendment for the FY2011 Maryland Heritage Areas Authority Grant allowing unspent grant funds in the amount of \$43,123 to be used for Three Notch Trail Phase VII concept planning;

(2) the FY2015 Maryland Heritage Areas Authority Grant Agreement, and related assurances, in the total amount of \$50,000; and,

(3) the related budget amendment to decrease the Three Notch Trail Phase VII, Project RP1501, budget by \$6,877. Motion carried 5-0.

b. Program Open Space Development Application and Project Agreement for Leonardtown Park

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Program Open Space Development Application and Project Agreement to assist with the construction of the new Leonardtown Park, Project RP1202, in the total amount of \$125,000. Motion carried 5-0.

Mr. Loewe was asked to provide the fund balance in the Open Space Reserve.

5. Department of Economic Development (*Robin Finnacom, Acting Director; Donna Sasscer, Agriculture & Seafood Development Coordinator*)

(Phil Shire, Director, Dept. of Land Use and Growth Management)

Land Preservation Program Recertification

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve the report and execute the Letters of Support for the recertification of St. Mary's County's Agriculture Land Preservation Program through the Maryland Agriculture Land Preservation Foundation and the Maryland Department of Planning. Motion carried 5-0.

6. Department of Public Works and Transportation (*George Erichsen, Director*)

Washington Gas Commitment Letter

Commissioner Morgan moved, seconded by Commissioner Morris, to approve and authorize Commissioner President Russell to execute the Commitment Letter between the County and the Washington Gas Company for the gas service infrastructure for the existing Patuxent River Naval Air Museum buildings in accordance with the terms and conditions of the letter agreement. Motion carried 5-0.

7. Department of Land Use and Growth Management (*Phil Shire, Director*)

a. Memorandum of Agreement for Designation of a Fiscal Agent and Provision of Administrative Services to the Calvert-St. Mary's Metropolitan Planning Organization

Commissioner Jarboe moved, seconded by Commissioner Jones, to approve and sign the Memorandum of Agreement for Designation of a Fiscal Agent and Provision of Administrative Services to the Calvert-St. Mary's Metropolitan Planning Organization. Motion carried 5-0.

b. Agreement By and Between the Maryland Department of Transportation and the Calvert-St. Mary's Metropolitan Planning Organization (MPO)

Commissioner Morgan emphasized that the MPO was a federal initiative that the county tried to stop because we didn't think it was right. Reluctantly, we have to sign the agreement or the county's federal funding will be cut.

Commissioner Jarboe noted Lexington Park, California, and the Chesapeake Ranch Estates are now classified as an urbanized area.

Commissioner Morris asked that Commissioner Morgan's remarks become a part of the minutes.

Commissioner Morgan moved, seconded by Commissioner Jones, to authorize Commissioner Jarboe, the County representative on the Calvert-St. Mary's County Metropolitan Planning Organization, to sign the Agreement By and Between the Maryland Department of Transportation and the Calvert-St. Mary's Metropolitan Planning Organization. Motion carried 5-0.

8. County Administrator (*Dr. Rebecca Bridgett*)

(Jeanette Cudmore, Deputy Director, Dept. of Finance)

Ridge Volunteer Rescue Squad Request

Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize staff to prepare the necessary loan documents for a seven year loan for the Ridge Volunteer Rescue Squad in the amount of \$142,456 from the Fire & Rescue Revolving Loan Fund to assist in the costs for an ambulance, and approve and authorize the Commissioner President and Staff to execute necessary documents, with the understanding that the County Attorney will have approved them for legal sufficiency prior to execution of the documents. Motion carried 5-0.

OFFICE OF THE COUNTY ATTORNEY

Present: George Sparling

1. DECISIONS ON REVISION OF THE CODE OF ST. MARY'S COUNTY, MARYLAND (PHASE 1)

Notice of Public Hearing was published in the *Enterprise Newspaper* on September 5 and 12, 2014, listing all recommended local laws to be repealed. A public hearing was held September 23, 2014. There were no public comments during the meeting or the 10-day open comment period. When all revisions are complete the *Code of St. Mary's County Maryland* will become an online publication.

Commissioner Morgan moved, seconded by Commissioner Jarboe, that the proposed Ordinance repealing designated ordinances codified in Chapters 182, 183, 189, 189A, 190, 209, 214, 227, 240, 250, 253, 258, 263, 273, and 281 of the Code of St. Mary's County, Maryland, be adopted. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Jarboe, that the proposed Resolution rescinding Resolution No. 77-49 and decodifying Resolutions No. 74-19, 95-14, and 98-44 be adopted. Motion carried 5-0.

Commissioner Morgan moved, seconded by Commissioner Jarboe, that the repeal of the public laws codified as Chapters 8, 19, 38, 43, 54, 61, 68, 71, 73, 77, 92, 106, 131, 133, 136 and 144 be included in the legislative package to be considered at the Joint Meeting of the St. Mary's County Legislative Delegation and the Commissioners of St. Mary's County. Motion carried 5-0.

2. REVIEW OF LEGISLATIVE PROPOSALS FOR 2015 SESSION OF THE GENERAL ASSEMBLY

The proposed legislative proposals consist of five administrative proposals requested by the Office of the County Attorney. No requests were received from departments of St. Mary's County government or from quasi-governmental or institutional entities. Two requests were

received from citizens; however, each citizen proposal concerned state-wide subject matter that is not appropriate for local legislation. Mr. Sparling explained the following legislative proposals.

- (1) Amendment to Section 9-320 of the Tax –Property Article of the Annotated Code of Maryland.
- (2) Amendment of Sections 12-538, 12-618, 13-703, and 12-804 of the Local Government Article and repeal Sections 9-1607 and 9-1608 of the Land Use Article of the Annotated Code of Maryland.
- (3) Amendment of Section 13-129 of the Local Government Article of the Annotated Code of Maryland.
- (4) Amendment of Chapter 93 of the Code of St. Mary's County Maryland.
- (5) Amendment of Article 19 of the Public Local Laws of Maryland – Tax delinquency.

Commissioner Jarboe noted that the package presented two weeks ago included recommendations from Commissioners Morris that he supports and would like to see on the agenda for discussion/decision. Last year Commissioner Morris asked for 15-acre or more farmstead exemption from Tier III and IV development limitations and he is now asking for 2% cap on MetCom.

Commissioner Morris reaffirmed that he has never wavered on the MetCom issue and he would like to have it discussed.

Commissioner Morgan moved, seconded by Commissioner Jones, that the following proposals be included in the legislative package to be considered at the joint Meeting of the St. Mary's County Legislative Delegation and the Commissioners of St. Mary's County: Proposals numbers 1, 2, 3, 4, 5. Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events of the past week.

MD. DEPT OF TRANSPORTATION: ANNUAL CONSOLIDATED TRANSPORTATION TOUR

Present: Deputy Secretary Wilson Parran, MDOT
Doug Simmons, Deputy Administrator, SHA
Beth Cryer, Director, Local Transit Support, MTA
Lee Starkloff, District Engineer, District 5 SHA
Richard Norman, Director, Field Operations, MVA
Ashish J. Solanki, Director, Regional Aviation Assistance, MAA

An overview of state-wide projects completed and in process was presented. Projects underway or in the planning stages in St. Mary's, Charles and Calvert Counties include: construction of MD 4 widening between MD 235 and Governor Thomas Johnson Bridge; design for replacement of the Governor Thomas

Johnson Bridge and interim improvements in Calvert and St. Mary's County; design of a new Calvert County local transit center; and, right of way for Phase II of widening MD 2/4 in Calvert County. Planning is underway for the US 301 Waldorf Study in Charles County and the Southern Maryland Rapid Transit Study in Charles and Prince George's Counties.

Additional projects in St. Mary's County include: replacement of the bridge over Eastern Branch on MD5 Point Lookout Road; upgrade and widening of MD 5 to provide shoulders from south of Camp Brown Road to the Ranger Station; study to upgrade MD 5 between MD 243 and MD 245; design of intersection, bridge and drainage improvements along MD 5 at 246 and MD 471. FY2015 projects include landscaping at Piney Point Road, St. George Island Bridge to 750 feet south; a roundabout on Budds Creek Road at MD 242; and enhancements to Three Notch Trail Phase VI.

Commissioner Morgan noted the widening of MD 4 going to the Thomas Johnson Bridge has created a safety issue for the residents of the Woodland Acres community. The additional lanes have made it almost impossible to get across Rt. 4 and requested SHA resolve this issue. He also noted the bottleneck at the intersection of and Great Mills and MD5 and suggested shutting off the entrance to Old Great Mills Road. He requested a sign going north on MD 235 in Hollywood to identify the entrance to the Hollywood Rescue Squad (Rescue Lane).

Delegate O'Donnell said the Woodland Acres issue is of paramount importance and needs to be resolved right away. He requested: that the traffic lights on the 235 corridor be synchronized; a review of the possibility of full stoplight at Rue Purchase/Buck Hewitt Road; and questioned the delay of the stoplight at St. Johns Rd and MD 235 intersection. He expressed a concern that a State Greenhouse Gas Emission Travel Tax would be established to fund this initiative.

Delegate Bohannon noted the need to identify the plan for the Great Mills/MD 5 intersection and resolve it quickly because there is a serious problem during rush hour. He noted the need to move swiftly to resolve the safety issue at the Bay Ridge Development and MD5 intersection. He suggested that public private partnerships might be a way to get the Thomas Johnson Bridge built faster. He also noted that the Consolidated Transportation Plan does not count on additional revenues to fund the Greenhouse Gas Reduction initiative.

Commissioner Jones requested improvements be considered for MD5 between Flat Iron Road/Indian Bridge Road and MD 249 because there are two private schools and entrances to a church and rectory along that corridor and ingress/egress is a safety issue for them.

Commissioner Morris requested that the Leonardtown/MD 5 project needs expediting and suggested completing it in phases if there is not enough funding at this time. He suggested the first phase should be the area from the light at Leonardtown/Hollywood Road to the hospital. He also noted a large community, Clarks Rest, is being built which will create more safety hazards along the MD 5 corridor in Leonardtown.

ADJOURNMENT

The meeting adjourned at 2:50 pm.

Minutes Approved by the Commissioners of St. Mary's County on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)